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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of	:	Customer Number: 46320
	:	
Velda BARTEK, et al.	:	Confirmation Number: 7782
	:	
Application No.: 10/754,375	:	Group Art Unit: 2173
	:	
Filed: January 9, 2004	:	Examiner: N. Ulrich
	:	

For: DYNAMIC COMPOSITION OF HELP INFORMATION FOR AN AGGREGATION
       OF APPLICATIONS

APPEAL BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

      This Appeal Brief is submitted in support of the Notice of Appeal filed January 3, 2008,

and in response to the Examiner reopening prosecution in the Office Action dated June 9, 2008,

wherein Appellants appeal from the Examiner's rejection of claims 1-16.

I. REAL PARTY IN INTEREST

      This application is assigned to IBM Corporation by assignment recorded on January 9,

2004, at Reel 014888, Frame 0279.

II. RELATED APPEALS AND INTERFERENCES

      This application is a parent application of U.S. Patent Application No. 10/875,971

(hereinafter the '971 application). An Appeal Brief was filed in the '971 application on March 4,

2008. However, no decision on this appeal has been rendered. Appellants are unaware of any other related appeals and interferences.

III. STATUS OF CLAIMS

Claims 1-16 are pending and four-times rejected in this Application. It is from the multiple rejections of claims 1-16 that this Appeal is taken.

IV. STATUS OF AMENDMENTS

The claims have not been amended subsequent to the imposition of the Fourth Office Action dated June 9, 2008 (hereinafter the Fourth Office Action).

V. SUMMARY OF CLAIMED SUBJECT MATTER

1 Referring to Figure 4 and also to independent claim 1, a method for producing a
2 composite help view for an aggregation of applications is disclosed. In blocks 420-430, at least
3 two separate help documents are obtained, and each of the at least two separate help documents
4 having an association with a corresponding one of separate interface units aggregated together
5 into a single aggregated view (lines 1-7 of paragraph [0036]). In block 445, the at least two
6 separate help documents are combined into a composition of help documents corresponding to
7 the single aggregated view (lines 1-3 of paragraph [0037]). In block 480, the composition of
8 help documents is rendered in a help system view responsive to a request for help initiated in the
9 single aggregated view (lines 8-10 of paragraph [0038]).
10 Referring to Figure 1 and also to independent claim 7, a system for producing a
11 composite help view for an aggregation of applications is disclosed. The system includes an
12 application aggregator 130, a help system 140, and help invoking logic 170. The application

1　aggregator 130 is configured to aggregate individual interface units 110 into a single aggregated

2　view 150 (lines 1-6 of paragraph [0026]). The help system 140 is configured to render a help

3　system view 160 comprising composite help documentation 190 comprising at least two help

4　documents 120, each of the at least two help documents 120 corresponding to one of the

5　individual interface units 110 (lines 1-6 of paragraph [0027]). The help invoking logic 170 is

6　coupled to the help system 140 and disposed in the single aggregated view 150 (lines 1-5 of

7　paragraph [0028]).

8　　　　　Referring to Figure 4 and also to independent claim 11, a machine readable storage

9　having stored thereon a computer program for producing a composite help view for an

10　aggregation of applications is disclosed. The computer program comprises a routine set of

11　instructions which when executed by the machine cause the machine to perform the following

12　steps. In blocks 420-430, at least two separate help documents are obtained, and each of the at

13　least two separate help documents having an association with a corresponding one of separate

14　interface units aggregated together into a single aggregated view (lines 1-7 of paragraph [0036]).

15　In block 445, the at least two separate help documents are combined into a composition of help

16　documents corresponding to the single aggregated view (lines 1-3 of paragraph [0037]). In block

17　480, the composition of help documents is rendered in a help system view responsive to a

18　request for help initiated in the single aggregated view (lines 8-10 of paragraph [0038]).

19

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

　　　　1. Claims 1-3, 5, 7, 11-13, and 15 were rejected under 35 U.S.C. § 102 for anticipation

based upon Hickman et al., U.S. Patent No. 5,351,361 (hereinafter Hickman);

2. Claims 4 and 14 were rejected under 35 U.S.C. § 103 for obviousness based upon Hickman in view of Palaniappan et al., U.S. Patent Publication No. 2002/0054152 (hereinafter Palaniappan);

3. Claims 8-10 were rejected under 35 U.S.C. § 103 for obviousness based upon Hickman in view of Lillie et al., U.S. Patent Publication No. 2005/0065913 (hereinafter Lillie); and

4. Claims 6 and 16 were rejected under 35 U.S.C. § 103 for obviousness based upon Hickman in view of Official Notice.

VII. ARGUMENT

<u>**THE REJECTION OF CLAIMS 1-3, 5, 7, 11-13, AND 15 UNDER 35 U.S.C. § 102 FOR ANTICIPATION BASED UPON HICKMAN**</u>

For convenience of the Honorable Board in addressing the rejections, claims 2, 5, 11-12, and 15 stand or fall together with independent claim 1; claim 13 stands or falls together with claim 3; and independent claim 7 stands or falls alone.

As is evident from Appellants' previously-presented comments during prosecution of the present Application and from Appellants' comments below, there are questions as to how the limitations in the claims correspond to features in the applied prior art. In this regard, reference is made to M.P.E.P. § 1207.02, entitled "Contents of Examiner's Answer." Specifically, the following is stated:

> (A) CONTENT REQUIREMENTS FOR EXAMINER'S ANSWER. The examiner's answer is <u>required to include</u>, under appropriate headings, in the order indicated, the following items:
> ...
> (9)(c) For each rejection under 35 U.S.C. 102 or 103 where there are questions as to how limitations in the claims correspond to features in the prior art even after the examiner complies with the requirements of paragraphs (c) and (d) of this section, the examiner must compare at least one of the rejected claims feature by feature with the prior art relied on in the rejection. The comparison must align the language of the claim side-by-side with a reference to the specific page, line number, drawing reference number, and quotation from the prior art, as appropriate. (emphasis added)

Therefore, if the Examiner is to maintain the present rejections and intends to file an Examiner's Answer, the Examiner is required to include the aforementioned section in the Examiner's Answer.

The factual determination of anticipation under 35 U.S.C. § 102 requires the <u>identical</u> disclosure, either explicitly or inherently, of <u>each</u> element of a claimed invention in a single

1   reference.[1] Moreover, the anticipating prior art reference must describe the recited invention

2   with sufficient clarity and detail to establish that the claimed limitations existed in the prior art

3   and that such existence would be recognized by one having ordinary skill in the art.[2]

4

5   "Both anticipation under § 102 and obviousness under § 103 are two-step inquiries. The

6   first step in both analyses is a proper construction of the claims. … The second step in the

7   analyses requires a comparison of the properly construed claim to the prior art."[3] During patent

8   examination, the pending claims must be "given their broadest reasonable interpretation

9   consistent with the specification,"[4] and the broadest reasonable interpretation of the claims must

10   also be consistent with the interpretation that those skilled in the art would reach.[5] Therefore, the

11   Examiner must (i) identify the individual elements of the claims and properly construe these

12   individual elements,[6] and (ii) identify corresponding elements disclosed in the allegedly

13   anticipating reference and compare these allegedly corresponding elements to the individual

14   elements of the claims.[7] This burden has not been met. In this regard, the Examiner's rejection

15   under 35 U.S.C. § 102 also fails to comply with 37 C.F.R. § 1.104(c).[8]

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[1] In re Rijckaert, 9 F.3d 1531, 28 USPQ2d 1955 (Fed. Cir. 1993); Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989); Perkin-Elmer Corp. v. Computervision Corp., 732 F.2d 888, 894, 221 USPQ 669, 673 (Fed. Cir. 1984).
[2] See In re Spada, 911 F.2d 705, 708, 15 USPQ 1655, 1657 (Fed. Cir. 1990); Diversitech Corp. v. Century Steps, Inc., 850 F.2d 675, 678, 7 USPQ2d 1315, 1317 (Fed. Cir. 1988).
[3] Medichem, S.A. v. Rolabo, S.L., 353 F.3d 928, 933 (Fed. Cir. 2003) (internal citations omitted).
[4] In re Hyatt, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000).
[5] In re Cortright, 165 F.3d 1353, 1359, 49 USPQ2d 1464, 1468 (Fed. Cir. 1999).
[6] See also, Panduit Corp. v. Dennison Mfg. Co., 810 F.2d 1561, 1567-68 (Fed. Cir. 1987) (In making a patentability determination, analysis must begin with the question, "what is the invention claimed?" since "[c]laim interpretation, . . . will normally control the remainder of the decisional process"); see Gechter v. Davidson, 116 F.3d 1454, 1460 (Fed. Cir. 1997) (requiring explicit claim construction as to any terms in dispute).
[7] Lindemann Maschinenfabrik GMBH v. American Hoist & Derrick Co., 730 F.2d 1452, 221 USPQ 481 (Fed. Cir. 1984).
[8] 37 C.F.R. § 1.104(c) provides:

      In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly

Claim 1

At the outset, Appellants note that in the third full paragraph on page 3 of the Third Office Action, the Examiner admitted the following:

Hickman fails to disclose "interface units aggregated together into a single aggregated view", "help documents corresponding to said single aggregated view", and "rendering responsive to a request for help initiated in said single aggregated view".

However, on pages 2 and 3 of the present Fourth Office Action, the Examiner is now asserting the following as to these limitations:

obtaining at least two separate help documents, each of said at least two separate help documents having an association with a corresponding one of separate interface units aggregated together into a single aggregated view (*Fig 5, Fig 6 and Column 7 lines 38-50: In Figure 5 Hickman shows two applications aggregated into one display screen. Further Hickman discusses for each application within the system, accessing the help file directory and extracting the help topic and subtopic descriptors*);
...
and, rendering said composition of help documents in a help system view responsive to a request for help initiated in said single aggregated view (*Column 7 lines 31-34 and lines 59-62: Hickman discusses the use of help utility window for displaying the help topics associated with the given application on a system*). (emphasis in original)

On pages 11-15 of the Fourth Office Action, the Examiner also presented an extensive "Response to Arguments" section. Initially, the Examiner asserted the following on page 11 of the Fourth Office Action:

In regard to applicants arguments that Hickman fails to disclose "separate interface units aggregated together into a single aggregated view", the examiner disagrees. Figure 5 and Column 5 line 49 - Column 6 line 36 clearly teach this limitation. Applicant argues that the display screen is not a single aggregated view and was not formed by the aggregation of the two applications. Figure 5 of Hickman's invention shows a typical screen display provided with the present invention. Within that display is a single aggregated view of application 1, application 2, and also the Bookcase help. These interface units are collected and displayed at the same time on the display screen of Hickman's invention. When comparing figure 5 of Hickman invention and Fig 3 of the present invention, we can see the similarity. Elements 340A and 340B directly correlate with application 1 and application 2. Element 330 directly correlates with the Bookcase help, and element 320 directly correlates with the screen display. Therefore, Hickman teaches separate interface units (application 1 and application 2) aggregated together (collection of units into a body). No where does Hickman teach that the display screen exists separately and independently

as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified.

7

1   from application 1 and application 2. Figure 5 clearly shows that application 1 and application 2
2   are part of the display screen of Hickman and thus are aggregated together into a single view.
3

4 Although not explicitly stated, the Examiner is making a factually-unsupported inherency

5 argument. In essence, the Examiner is asserting that since Fig. 5 of Hickman looks somewhat

6 similar to Fig. 3 of Appellants' disclosure, then Fig. 5 of Hickman necessarily (i.e., inherently)

7 discloses the limitations embodied within Fig. 3 of Appellants' disclosure.

8

9   Inherency may not be established by probabilities or possibilities. The mere fact that a

10 certain thing <u>may</u> result from a given set of circumstances is not sufficient to establish

11 inherency.[9] To establish inherency, the <u>extrinsic evidence</u> must make clear that the missing

12 element must <u>necessarily be present</u> in the thing described in the reference, and that the necessity

13 of the feature's presence would be so recognized by persons of ordinary skill.[10] Furthermore,

14 reference is made to <u>ex parte Schricker</u>,[11] in which the Honorable Board of Patent Appeals and

15 Interferences stated the following:

16   However, when an examiner relies on inherency, it is incumbent on the examiner to point to the
17   "page and line" of the prior art which justifies an inherency theory. <u>Compare</u>, <u>In re Rijckaert</u>, 9
18   F.3d 1531, 1533, 28 USPQ2d 1955, 1957 (Fed. Cir. 1993) (when the PTO asserts that there is an
19   explicit or implicit teaching or suggestion in the prior art, it must indicate where such a teaching or
20   suggestion appears in the prior art); <u>In re Yates</u>, 663 F.2d 1054, 107, 211 USPQ 1149, 1151
21   (CCPA 1981).
22

23 This burden has not been met.

24

25   The Examiner is asserting that since these respective figures are similar, then Hickman

26 discloses applications that have been aggregated together into a single aggregated view. At the

---

[9] <u>In re Rijckaert</u>, 9 F.3d 1531, 1534, 28 USPQ2d 1955, 1957 (Fed. Cir. 1993) (reversed rejection because inherency was based on what would result due to optimization of conditions, not what was necessarily present in the prior art); <u>In re Oelrich</u>, 666 F.2d 578, 581-82, 212 USPQ 323, 326 (CCPA 1981).
[10] <u>Finnegan Corp. v. ITC</u>, 180 F.3d 1354, 51 USPQ2d 1001 (Fed. Cir. 1999); <u>In re Robertson</u>, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950-51 (Fed. Cir. 1999); <u>Continental Can Co. USA v. Monsanto Co.</u>, 20 USPQ 2d 1746 (Fed. Cir. 1991); <u>Ex parte Levy</u>, 17 USPQ2d 1461 (BPAI 1990).
[11] 56 USPQ2d 1723, 1725 (BPAI 2000).

1 outset, Appellants note that the Examiner has failed to provide claim constructions for the

2 limitations at issue. Notwithstanding this failure by the Examiner to provide claim constructions,

3 the teachings of Hickman are not necessarily an aggregation.

4

5 For example, "application 1" of Hickman could be a word processor and "application 2"

6 could be a mail program. The fact that Fig. 5 of Hickman shows that "application 2" overlaps

7 "application 1" is a clear indication to one having ordinary skill in the art that these separate

8 applications have not been aggregated. Instead, Fig. 5 of Hickman shows a <u>very common</u>

9 occurrence in which two applications are opened in separate windows/views. As is also very

10 commonly known, one application can be open/closed and moved without regard to the other

11 application. Referring to column 4, lines 22-25, the applications 310, 320 are described as

12 "independent." Moreover, referring to column 5, lines 55-57, 65-67 and column 6, lines 4-8 of

13 Hickman, separate windows are opened for each of the Book-case, application 1, and application

14 2. Thus, Appellants' position is that windows/views are not aggregated, but instead, are separate.

15

16 As noted above, the Examiner bears the burden of establishing that a particular teaching

17 is inherently disclosed by the applied prior art. The Examiner, however, has failed to meet this

18 burden.

19

20 _____

21 In the first full paragraph on page 13 of the Fourth Office Action, the Examiner again

22 relies upon Fig. 5 of Hickman. In this instance, the Examiner is relying upon Fig. 5 of Hickman

23 to teach the claimed "a request for help initiated in said single aggregated view." Yet again, this

1   assertion is a factually unsupported inherency argument since the Examiner has failed to

2   establish that the "Bookcase Help" has been aggregated together with "application 1" and

3   "application 2" as part of the single aggregated view. Appellants have already addressed this

4   assertion in the previously-presented arguments.

5

6   <u>Claim 3</u>

7   Dependent claims 3 and 13 each recite, in part, the following limitations:

8   rendering <u>both</u> a view of said composition of help documents, and

9   individual views of said separate help documents. (emphasis added)

10

11   In the Third Office Action, to teach these limitations, the Examiner cited column 6, lines 64-66,

12   which state "[t]hus, the present invention integrates the display and selection of help directory

13   information from multiple applications into a single window." The Examiner further stated the

14   following:

15   *The **display** of help information is performed by help viewer while the **selection** of help*
16   *information is performed by the integrated help utility (bookcase) Both are present in a single*
17   *window on the display system.*
18

19   Appellants note that the above assertion is not supported by the Examiner's cited passage within

20   Hickman. Moreover, even if this assertion was supported, it does not teach or suggest the

21   claimed limitations recited in claims 3 and 13. The claimed invention recites that at least three

22   views are rendered: (i) the composition of help documents and (ii)/(iii) individual view<u>s</u> (i.e., a

23   plurality of views, which constitutes two or more views). Not only are these at least three views

24   not disclosed as being rendered by Hickman, Appellants are unclear as to which of the claimed

25   views the alleged "selection of help information is performed by the integrated help utility"

26   corresponds.

27

1   In response to these arguments, the Examiner asserted the following in the paragraph

2   spanning pages 13 and 14 of the Third Office Action:

3   In regard to applicant's argument that Hickman does not teach or suggest the limitations
4   of claim 3 and 13, the examiner disagrees. Applicant asserts that claims 3 and 13 teach rendering
5   at least three views: (i) the composition of help documents and (ii)/(iii) individual views of help
6   documents. Examiner cited column 6 lines 64-66 of Hickman's disclosure, which states, "the
7   present invention integrates the display and selection of help directory information from multiple
8   applications into a single window". This cited passage is further explained in Figure 5 of
9   Hickman's disclosure. Figure 5 clearly shows composition of help documents (Bookcase Help)
10   and <u>individual views of separate help documents (application 1 and 2)</u>. The cited passage
11   describes the selection of help directory information, This is accomplished from the composition
12   of help documents displayed in the Bookcase. The passage further describes the display of help
13   directory information. By selecting a topic listed in the bookcase, the help information is displayed
14   within a window represented in figure 5. The passage further states integrated into a single
15   window. Therefore, the composition of help documents and individual views of separate help
16   documents are all displayed within a single window all at once.

17

18   The Examiner's analysis is predicated upon a faulty finding of fact. Referring to the underlined

19   passage above and Fig. 5, Hickman does not teach rendering individual views of separate help

20   documents, as alleged by the Examiner. Instead, referring to column 6, lines 4-8, what are being

21   illustrated are applications and <u>not</u> help files.

22

23   The above arguments were previously presented on pages 10-12 of the First Appeal

24   Brief. The Examiner responded to these arguments as follows in the Fourth Office Action:

25   The examiner disagrees. Column 6 lines 61-66 states "In a conventional manner, help viewer
26   accesses the specified help information and displays the information on the display screen. Thus,
27   the present invention integrates the display and selection of help directory information from
28   multiple applications into a single window". Therefore the directory of help information and the
29   display of selected help information are both rendered at the same time in a single window.
30

31   The Examiner's response is non-responsive. All the Examiner has done is reproduce the same

32   passage that the Examiner previously cited and conclude by asserting that this passage

33   identically discloses the limitation at issue. Entirely absent from the Examiner's response is a

34   discussion of the arguments presented by Appellants. Instead, the Examiner appears to be of the

35   belief that if the Examiner repeats the same argument time and time again that Appellants will

1 somehow change their beliefs. This, however, will not occur as Appellants stand by the

2 arguments previously presented in the First Appeal Brief and reproduced above.

3

4   Claim 7

5   With regard to the claimed "help invoking logic coupled to said help system and disposed

6 in said single aggregated view," the Examiner cited Column 7, lines 14-29 of Hickman.

7 However, upon reviewing the Examiner's cited passage, Appellants are unclear where,

8 specifically, Hickman teaches that the help invoking logic is disposed in the single aggregated

9 view. With regard to the Examiner's obviousness analysis, Appellants incorporate herein, as also

10 applying to claim 7, the arguments previously presented with regard to the Examiner's

11 obviousness analysis as to claim 1 since the Examiner used the same analysis with claim 7 as the

12 Examiner used with claim 1.

13

14   In response to these arguments, the Examiner asserted the following in the first full

15 paragraph on page 14 of the Third Office Action:

16   In regard to applicant's argument of claim 7, the examiner disagrees. With regard to the
17   combination of Hickman and Lillie, examiner incorporates herein, the response to the first
18   argument. Also, to better explain the help invoking logic, examiner has cited the passage (Column
19   6 lines 37-47) from Hickman's disclosure. Explained in this passage is the ability for a user to
20   select a particular help topic for viewing.
21
22 The Examiner's analysis is ignoring the actual claim language at issue. Claim 7 does not recite

23 "invoking help from single aggregated view" (i.e., "the ability for a user to select a particular

24 help topic for viewing"). Instead, claim 7 recites help invoking logic disposed in the single

25 aggregate view. These features are not taught by the Examiner's cited passage.

26

1   The above arguments were previously presented on page 12 of the First Appeal Brief.

2   The Examiner responded to these arguments as follows in the Fourth Office Action:

> 3   Applicant argues that Hickman fails to disclose "help invoking logic coupled to said help system
> 4   and disposed in said single aggregated view". The examiner interprets this to mean that a user has
> 5   the ability to select help information from the single aggregated view. The examiner does not
> 6   understand the difference between "invoking help from single aggregated view" and "help
> 7   invoking logic disposed in the single aggregated view" as discussed in applicants arguments.
> 8   Therefore, the examiner is maintaining the rejection.

9

10   The difference between "invoking help" from a single aggregated view and "help invoking logic"

11   disposed in the single aggregate view is that the logic is contained <u>within the view</u>. On the

12   contrary, the act of invoking help could employ logic not found within the single aggregated

13   view, but instead, found elsewhere. For example, the single aggregated view acts as a gateway

14   to the logic but does not actually include the logic. Therefore, Appellants maintain the

15   previously-presented arguments that Hickman fails to identically disclose the limitations recited

16   in claim 7.

17

18   <u>**THE REJECTION OF CLAIMS 4 AND 14 UNDER 35 U.S.C. § 103 FOR OBVIOUSNESS BASED**</u>

19   <u>**UPON HICKMAN IN VIEW OF PALANIAPPAN**</u>

20   For convenience of the Honorable Board in addressing the rejections, claims 4 and 14

21   stand or fall together with independent claim 1.

22

23   Claims 4 and 14 respectively depend from independent claims 1 and 11, and Appellants

24   incorporate herein the arguments previously advanced in traversing the imposed rejection of claims

25   1 and 11 under 35 U.S.C. § 102 for anticipation based upon Hickman. The secondary reference to

26   Palaniappan does not cure the argued deficiencies of Hickman. Accordingly, <u>even if</u> one having

27   ordinary skill in the art were impelled to combine the applied prior art, the claimed invention would

28   not result. Appellants, therefore, respectfully submit that the imposed rejection of claims 4 and

1   14 under 35 U.S.C. § 103 for obviousness based upon Hickman in view of Palaniappan is not

2   viable.

3

4   **THE REJECTION OF CLAIMS 8-10 UNDER 35 U.S.C. § 103 FOR OBVIOUSNESS BASED**

5   **UPON HICKMAN IN VIEW OF LILLIE**

6   For convenience of the Honorable Board in addressing the rejections, claims 8-10 stand

7   or fall together with independent claim 7.

8

9   Claims 8-10 depend from independent claim 7, and Appellants incorporate herein the

10   arguments previously advanced in traversing the imposed rejection of claim 7 under 35 U.S.C. §

11   102 for anticipation based upon Hickman. The secondary reference to Lillie does not cure the

12   argued deficiencies of Hickman. Accordingly, _even if_ one having ordinary skill in the art were

13   impelled to combine the applied prior art, the claimed invention would not result. Appellants,

14   therefore, respectfully submit that the imposed rejection of claims 8-10 under 35 U.S.C. § 103

15   for obviousness based upon Hickman in view of Lillie is not viable.

16

17   **THE REJECTION OF CLAIMS 6 AND 16 UNDER 35 U.S.C. § 103 FOR OBVIOUSNESS BASED**

18   **UPON HICKMAN IN VIEW OF OFFICIAL NOTICE**

19   For convenience of the Honorable Board in addressing the rejections, claims 6 and 16

20   stand or fall together with independent claim 1.

21

22   Claims 6 and 16 respectively depend from independent claims 1 and 11, and Appellants

23   incorporate herein the arguments previously advanced in traversing the imposed rejection of claims

1   1 and 11 under 35 U.S.C. § 102 for anticipation based upon Hickman. The teachings of Official

2   Notice do not cure the argued deficiencies of Hickman. Accordingly, _even if_ one having ordinary

3   skill in the art were impelled to combine the applied prior art, the claimed invention would not

4   result. Appellants, therefore, respectfully submit that the imposed rejection of claims 6 and 16

5   under 35 U.S.C. § 103 for obviousness based upon Hickman in view of Official Notice is not

6   viable.

7

8   <u>Conclusion</u>

9   Based upon the foregoing, Appellants respectfully submit that the Examiner's rejections

10   under 35 U.S.C. §§ 102, 103 based upon the applied prior art is not viable. Appellants, therefore,

11   respectfully solicit the Honorable Board to reverse the Examiner's rejections under 35 U.S.C. §§

12   102, 103.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due under 37 C.F.R. §§ 1.17, 41.20, and in connection with the filing of this paper, including extension of time fees, to Deposit Account 09-0461, and please credit any excess fees to such deposit account.

Date: July 21, 2008   Respectfully submitted,

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VIII. CLAIMS APPENDIX

1. A method for producing a composite help view for an aggregation of applications, the method comprising the steps of:

obtaining at least two separate help documents, each of said at least two separate help documents having an association with a corresponding one of separate interface units aggregated together into a single aggregated view;

combining said at least two separate help documents into a composition of help documents corresponding to said single aggregated view; and,

rendering said composition of help documents in a help system view responsive to a request for help initiated in said single aggregated view.

2. The method of claim 1, wherein said rendering step further comprises the steps of:

loading an index produced from a navigation view disposed within said single aggregated view;

forming a help system navigation view based upon said index; and,

rendering said help system navigation view along with said rendering of said composition of help documents.

3. The method of claim 1, wherein said rendering step comprises the step of rendering both a view of said composition of help documents, and individual views of said separate help documents.

4. The method of claim 3, wherein said rendering step further comprises the steps of:

obtaining an image map of said single aggregated view;

rendering said image map in a help system view;

activating a rendering of said view of said composition of help documents responsive to a selection of a portion of said image map not formed from a view of one of said separate interface units; and,

otherwise activating a rendering of a single one of said individual views of said separate help documents responsive to a selection of a portion of said image map formed from a view of a corresponding one of said separate interface units.

5. The method of claim 1, further comprising the steps of:

updating said single aggregated view to include at least one different interface unit;

changing said composition of help documents to include a new separate help document corresponding to said at least one different interface unit; and,

rendering said changed composition of help documents in a help system view responsive to a request for help initiated in said updated single aggregated view.

6. The method of claim 1, further comprising the step of restricting help information in said composition of help documents for a particular user to reflect restrictions in said single aggregated view imposed upon said user.

7. A system for producing a composite help view for an aggregation of applications comprising:

an application aggregator configured to aggregate individual interface units into a single aggregated view;

a help system configured to render a help system view comprising composite help documentation comprising at least two help documents, each of said at least two help documents corresponding to one of said individual interface units; and,

help invoking logic coupled to said help system and disposed in said single aggregated view.

8. The system of claim 7, wherein said individual interface units are application portlets, wherein said single aggregated view is a portal, and wherein said application aggregator is disposed within a portal server.

9. The system of claim 7, wherein said help system is configured as a plug-in to an integrated development environment.

10. The system of claim 7, wherein said help system further comprises a configuration for generating a personalized bookshelf for said at least two help documents.

11. A machine readable storage having stored thereon a computer program for producing a composite help view for an aggregation of applications, the computer program comprising a routine set of instructions which when executed by the machine cause the machine to perform the steps of:

obtaining at least two separate help documents, each of said at least two separate help documents having an association with a corresponding one of separate interface units aggregated together into a single aggregated view;

combining said at least two separate help documents into a composition of help documents corresponding to said single aggregated view; and,

rendering said composition of help documents in a help system view responsive to a request for help initiated in said single aggregated view.

12. The machine readable storage of claim 11, wherein said rendering step further comprises the steps of:

loading an index produced from a navigation view disposed within said single aggregated view;

forming a help system navigation view based upon said index; and,

rendering said help system navigation view along with said rendering of said composition of help documents.

13. The machine readable storage of claim 11, wherein said rendering step comprises the step of rendering both a view of said composition of help documents, and individual views of said separate help documents.

14. The machine readable storage of claim 13, wherein said rendering step further comprises the steps of:

obtaining an image map of said single aggregated view;

rendering said image map in a help system view;

activating a rendering of said view of said composition of help documents responsive to a selection of a portion of said image map not formed from a view of one of said separate interface units; and,

otherwise activating a rendering of a single one of said individual views of said separate help documents responsive to a selection of a portion of said image map formed from a view of a corresponding one of said separate applications.

15. The machine readable storage of claim 11, further comprising the steps of:

updating said single aggregated view to include at least one different interface unit;

changing said composition of help documents to include a new separate help document corresponding to said at least one different interface unit; and,

rendering said changed composition of help documents in a help system view responsive to a request for help initiated in said updated single aggregated view.

16. The machine readable storage of claim 11, further comprising the step of restricting help information in said composition of help documents for a particular user to reflect restrictions in said single aggregated view imposed upon said user.

IX. EVIDENCE APPENDIX

No evidence submitted pursuant to 37 C.F.R. §§ 1.130, 1.131, or 1.132 of this title or of any other evidence entered by the Examiner has been relied upon by Appellants in this Appeal, and thus no evidence is attached hereto.

X. RELATED PROCEEDINGS APPENDIX

Since the Board has not rendered a decision on the appeal of the '971 application, no decision rendered by the Board is attached hereto.